

Attorney Docket No. 58644 (48933)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICEIn re application: MERRIL, C. R.
GHANBARI, H

Examiner: A. PRYOR

Serial No. 09/835,537

Group: 1616

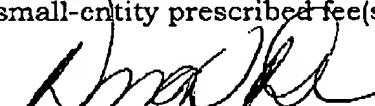
Filed: April 16, 2001

For: METHODS OF TREATING PRION DISEASE IN MAMMALS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that the following papers are being facsimile transmitted to the U.S. Patent and Trademark Office to the attention of Examiner: A. Pryor, Group Art Unit: 1616, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on October 24, 2003:

- Response to the Restriction/Election Requirement dated July 24, 2003;
- Petition for Two-Month Extension of Time together with the authorization to charge Deposit Account No.: 04-1105 for the small-entity prescribed fee(s); and
- This Certificate of Mail.

By: 

Donna R. Davis

Fax No.: 703-746-4996

No. of Pages: 6

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(Certificate of Mailing under 37 C.F.R. section 1.8(a)--page 1 of 1)

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PETITION FOR EXTENSION OF TIME

1. This is a request under 37 C.F.R §1.136(a) to extend the period for filing a response to the Office Action of July 24, 2003 in the above-identified application.

STATUS

2. Applicant is
 a small entity. A statement:
 is attached.
 was already filed.
 other than a small entity.

EXTENSION OF TERM

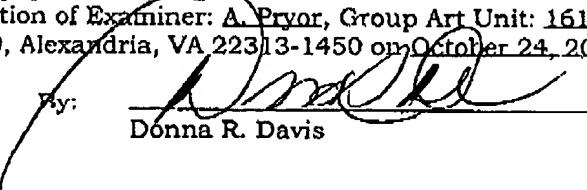
NOTE: "Extension of Time in Patent Cases (Supplement Amendments) -- If a timely and complete response has been filed after a Non-Final Office Action, an extension of time is not required to permit filing and/or entry of an additional amendment after expiration of the shortened statutory period.

If a timely response has been filed after a Final Office Action, an extension of time is required to permit filing and/or entry of a Notice of Appeal or filing and/or entry of an additional amendment after expiration of the shortened statutory period unless the timely-filed response placed the application in

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(Amendment Transmittal--page 1 of 4)

condition for allowance. Of course, if a Notice of Appeal has been filed within the shortened statutory period, the period has ceased to run." Notice of December 10, 1985 (1061 O.G. 34-35).

NOTE: See 37 C.F.R. Section 1.615 for extensions of time in interference proceedings, and 37 C.F.R. Section 1.550(c) for extensions of time in reexamination proceedings.

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. Section 1.136 apply.

(complete (a) or (b), as applicable)

- (a) Applicant petitions for an extension of time under 37 C.F.R. Section 1.136
(fees: 37 C.F.R. Section 1.17(a)(1)-(4)) for the total number of months checked below:

	Extension (months)	Fee for other than <u>small entity</u>	Fee for <u>small entity</u>
[]	one month	\$ 110.00	\$ 55.00
[X]	two months	\$ 420.00	\$ 210.00
[]	three months	\$ 950.00	\$ 475.00
[]	four months	\$ 1,480.00	\$ 740.00

Fee: \$ 210.00

If an additional extension of time is required, please consider this a petition therefor.

(check and complete the next item, if applicable)

- [] An extcnslon for ___ months has already been secured. The fee paid therefor of
\$ _____ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ 210.00

OR

- (b) [] Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

(Amendment Transmittal--page 2 of 4)

FEE PAYMENT

4. Attached is a check in the sum of \$ _____.
 Charge Account No. 04-1105 the sum of \$ 210.00.
A duplicate of this transmittal is attached.

FEE DEFICIENCY

NOTE: If there is a fee deficiency and there is no authorization to charge an account, additional fees are necessary to cover the additional time consumed in making up the original deficiency. If the maximum, six-month period has expired before the deficiency is noted and corrected, the application is held abandoned. In those instances where authorization to charge is included, processing delays are encountered in returning the papers to the PTO Finance Branch in order to apply these charges prior to action on the cases. Authorization to charge the deposit account for any fee deficiency should be checked. See the Notice of April 7, 1986, (1065 O.G. 31-33).

5. If any additional extension and/or fee is required, charge Account No. 04-1105.

AND/OR

- If any additional fee for claims is required, charge Account No. _____.

Respectfully submitted,



Gregory B. Butler, Ph.D., Esq.
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P.O. Box 9169
Boston, MA 02209
Tel.: 617-439-4444

Date: October 24, 2003
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(Amendment Transmittal--page 3 of 4)